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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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In re application of:

Price *et al.*

Appl. No. 09/693,949

Filed: October 23, 2000

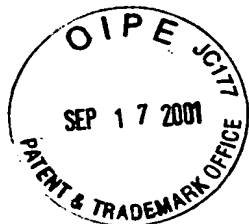
For: **Animal Cell Culture Media  
Comprising Non-Animal or Plant-  
Derived Nutrients**

Confirmation No. n/a

Art Unit: 1651

Examiner: Coe, S.

Atty. Docket: 0942.4120005/RWE/DS



### Reply To Restriction Requirement and Amendment

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Office Action dated **April 17, 2001**, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the invention of Group I, represented by original claims 1-13, 18-21 and 26-28 and newly added claims 29-38. With respect to the species election, Applicants hereby provisionally elect **(A) lipoic acid (claims 4 and 5); (B) myristate (claims 8 and 9); (C) stigmastanol (claim 11); (D) mammalian cells (claims 12 and 13); (E) potato (claims 27 and 28)**. The Examiner has indicated that claims 1 and 2 are generic; new claims 29-32 are generic with respect to the species elected under (B); new claims 33-35 are generic with respect to the species elected under (E); and new claims 36-38 are generic with respect to the species elected under (E). These claims are readable on the respective species. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

Applicants assert the right to claim additional species in the event that a generic claim thereto is found to be allowable in accordance with 37 C.F.R. § 1.141(a). This

election is made **without traverse**. Consideration and allowance of all pending claims, are respectfully requested.

If the claims of Group I are subsequently found allowable, Applicants respectfully request rejoinder of claims 14-17, of Group II, since these process claims depend on the claims of Group I.

Applicants submit the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;
- (B) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

### *Amendments*

#### *In the Claims:*

Please cancel claims 22-25 without prejudice or disclaimer.

Please substitute the following claims 14-17 for the pending claims 14-17:

- A1
14. (Amended) A method of cultivating an animal cell comprising the steps of:
- (a) contacting said animal cell with the cell culture medium of claim 1; and